

FORMAL MEETING AGENDA BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)

WEDNESDAY, JUNE 4, 2008

9:00 AM

Board of Supervisors' Auditorium
205 W. Jefferson
Phoenix, Arizona

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.

**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION**

S U P P L E M E N T A L

New Items

Clerk of the Board

S-1. REAPPOINTMENTS – APPROVED

Approve the reappointment of Richard Painchaud and Horst Kraus to the Community Development Advisory Committee representing Supervisorial District 3. The term of the appointment will be effective July 1, 2008 through June 30, 2009. (C0608098900)

County Attorney

S-2. APPEAL DECISION IN MARGARET MA TAM V. MARICOPA COUNTY – APPROVED

Authorize the County Attorney to appeal to the Arizona Tax Court the decision rendered by the State Board of Equalization in Margaret Ma Tam v. Maricopa County, #00113-07-08. This item was discussed in Executive Session on June 2, 2008. (C1908055M00)

Office of Enterprise Technology

S-3. ADMINISTRATIVE CORRECTION REGARDING ACCEPTANCE OF A DONATION FROM MICROSOFT CORPORATION OF PROFESSIONAL SERVICES – **APPROVED**

Approve an Administrative Correction to the action taken on June 2, 2008 (C4108013000) regarding the acceptance of a \$10,000 donation from Microsoft Corporation of professional services to be performed by Converter Technologies to assess previous versions of Microsoft ACCESS application within a selected group of Maricopa County departments.

This correction changes the name of the donors, the description of the project and the value of the donation to: a combined donation from Microsoft Corporation and Converter Technology, Inc., for the File Migration Assessment project, in the amount of \$25,000. In addition to the professional services to be provided, this donation includes \$5,000 in travel and lodging expense being donated by Converter Technology, Inc. This donation does not commit Maricopa County for any future encumbrances for business with Microsoft or Converter Technology, Inc.

Also authorize the execution of the Work Statement and Non-Disclosure Agreement with Converter Technology, Inc. Services to be provided between June 2, 2008 and June 30, 2008. (C4108013001)

BOARD OF SUPERVISORS

4. "Pet Showcase" by the Maricopa County Animal Care & Control. – **NO ACTION**

STATUTORY HEARINGS

Clerk of the Board

5. LIQUOR LICENSE APPLICATIONS – **APPROVED**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Amy E. Newby for a Special Event Liquor License: (SELL835) (F23249)

Business Name:	Community Perk, Inc.
Location:	41130 N. Freedom Way, Anthem, 85086
Date/Time:	July 3, 2008, 6:00pm – 11:00pm

- b. Application filed by Sheila Ann Reed for a Person-to-Person Transfer of a Series 7 Liquor License from Crain Allen Davis: (MCLL6267) (AZ#07070230)

Business Name: Falcon Golf Course
Location: 15152 W. Camelback Road, Litchfield Park, 85340

6. FRANCHISES – APPROVED

- a. Pursuant to A.R.S. §40-283, convene the scheduled public hearing to solicit comments and consider a reissuance of a public service franchise requested by **Water Utility of Greater Tonopah, Inc.** (WUGT) for an extension to an existing public service franchise for a domestic water distribution system. This franchise was previously granted by the Board of Supervisors on October 1, 2007. The purpose of the request for reissuance is 1) correct the legal description; and 2) extend the deadline to procure a Certificate of Convenience and Necessity (CC&N) from the Arizona Corporation Commission to the new date of December 31, 2008, and that no facilities will be installed prior to the granting of the CC&N. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0608022701) (F21283)
- b. Pursuant to A.R.S. §40-283, convene the scheduled public hearing to solicit comments and consider a reissuance of a public service franchise requested by **Hassayampa Utility Company** (HUC) for an extension to an existing public service franchise for a domestic water distribution system. This franchise was previously granted by the Board of Supervisors on October 1, 2007. The purpose of the request for reissuance is 1) correct the legal description; and 2) extend the deadline to procure a Certificate of Convenience and Necessity (CC&N) from the Arizona Corporation Commission to the new date of December 31, 2008, and that no facilities will be installed prior to the granting of the CC&N. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0608023701) (F23217)

Transportation

7. ROAD FILE DECLARATIONS – APPROVED

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

- a. **Road File No. A400** – In the vicinity of 81st Avenue from Williams Road to Patrick Lane. (Supervisory District 4) (C6408193000)
- b. **Road File No. A390** – In the vicinity of 11th Avenue from Irvine Road to Desert Hills Drive. (Supervisory District 3) (C6408195000)
- c. **Road File No. A401** – In the vicinity of 192nd Avenue from Lewis Avenue to Thomas Road. (Supervisory District 4) (C6408198000)
- d. **Road File No. A402** – In the vicinity of Virginia Avenue from 193rd Avenue to 192nd Avenue. (Supervisory District 4) (C6408199000)
- e. **Road File No. A403** – In the vicinity of Windsor Avenue from 193rd Avenue to 191st Avenue. (Supervisory District 4) (C6408200000)

Clerk of the Superior Court

8. ESTABLISHMENT OF A NEW DOCKET FEE – APPROVED

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to solicit comments and consider authorizing the establishment of a new Docket Fee of \$5.00 to be assessed upon the filing of initial complaints, and answers or responses, in all civil, family, probate, and tax cases. The effective date of the fee increase will be decided by the Board of Supervisors at a future meeting and will not be sooner than July 1, 2008. The proposed fee proceeds will be collected and deposited by the Clerk of the Superior Court (160) in the General Fund (100) with the Maricopa County Treasurer for disbursement by the Clerk of the Superior Court. Monies collected will be used to defray the costs of personnel and related operating costs of the docketing function in non-criminal cases. (C1608004800) (ADM1005)

Solid Waste

9. REVISED SOLID WASTE MANAGEMENT DEPARTMENT FEE SCHEDULE FOR TRANSFER STATION SERVICES – APPROVED

Convene the scheduled public hearing to consider the adoption of a revised Solid Waste Management (SWM) Department fee schedule for transfer station services to be effective July 1, 2008. Solid Waste Management transfer station fees have not been revised since May 1996. The expansion of transfer station operations in order to accept many categories of waste, in addition to bagged household trash, necessitates the update of fees charged at transfer station facilities. (The revised fee schedule is on file with the Clerk of the Board). (C6708002M00) (ADM2077)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

10. FIREWORKS PERMIT APPLICATION – APPROVED

- a. Pursuant to A.R.S. §36-1603, approve the application filed by Randy Reyman for an original Fireworks Display Application: (ADM665-72)

Organization:	Any Pyro
Location:	41130 N. Freedom Way, Anthem 85086
Date/Time:	July 3, 2008, 9:00pm

- b. Pursuant to A.R.S. §36-1603, approve the application filed by John Teixeira for an original Fireworks Display Application: (ADM665-71)

Organization:	Tonopah Fire Department
Location:	38201 W. Indian School Road, Tonopah 85354
Date/Time:	July 4, 2008, 9:00pm

Internal Audit

11. ANNUAL AUDIT PLAN FOR FISCAL YEAR 2009 – APPROVED

Approve the County Auditor's Annual Audit Plan for Fiscal Year 2009. (C2308003M00) (ADM2600)

County Attorney

12. RECEIPT OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, SOUTHWEST BORDER INITIATIVE PROGRAM – APPROVED

Approve the on-going receipt of grant funds from the United States Department of Justice, Bureau of Justice Assistance, Southwest Border Initiative Program, in the amount of \$505,134 (originally approved by the Board on August 27, 2003 C19040118). These funds are for cases that were investigated by federal law enforcement agencies and prosecuted by the Maricopa County Attorney's Office under state law and because the crimes were committed in Maricopa County. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$69,708.47. These cases have already been prosecuted and therefore there are no indirect costs to accepting this grant money. The federal government has funded this program through September 30, 2008 in accordance with Public Law 110-161. Continuing electronic applications for reimbursement are made on a quarter by quarter basis.

Also, authorize revenue and expenditure appropriation increase adjustments for the County Attorney (190) grant fund (219) in the amount of \$44,846.

Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1905001802)

Sheriff

13. LICENSE AGREEMENT WITH LAKE PLEASANT MARINA PARTNERS, LLP FOR ACCESS AND USE OF DOCK SPACE AT SCORPION BAY MARINA – APPROVED

Approve and execute a License Agreement between Lake Pleasant Marina Partners, LLP, ("Licensor") and Maricopa County through the Sheriff's office for access to, and use of dock space at Scorpion Bay Marina located at Lake Pleasant. This agreement will provide the Sheriff's Office Lake patrol with mooring for a floating boat garage along with 24-hours per day, seven-day per week use of the licensed area. The term of the agreement is for a five year period commencing upon completion and certification of occupancy to Lake Pleasant Marina Partners and with mutual consent provides one five-year renewal term. The License cost is \$10.00 fee for the full term. Licensor will provide electrical and fresh water service to the garage at Licensor's cost. (C5008052100)

14. AGREEMENT AND ACCEPT GRANT FUNDING FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA – APPROVED

Approve the agreement and acceptance of \$396,262 in continued grant funding from the Arizona Criminal Justice Commission (ACJC) for the High Intensity Drug Trafficking Area (HIDTA). The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$48,343.96. The term of this Agreement is October 1, 2007 through September 30, 2009. The Sheriff's Office has participated in HIDTA grants for approximately ten years.

Also, approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$123,730. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008554300)

15. AGREEMENT AND ACCEPT GRANT FUNDING FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA ARIZONA DRUG INTELLIGENCE TASK FORCE – APPROVED

Approve the agreement and acceptance of \$73,454 in continued grant funding from the Arizona Criminal Justice Commission (ACJC) for the High Intensity Drug Trafficking Area (HIDTA) Arizona Drug Intelligence Task Force. The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$8,961.39. The term of this agreement is October 1, 2007 through September 30, 2009. The Sheriff's Office has participated in HIDTA grants for approximately ten years.

Also, approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$35,831. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008555300)

16. RESOLUTION TO APPLY AND ACCEPT FUNDS FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY – APPROVED

Adopt a Resolution approving application and acceptance of up to \$447,695 in reimbursable grant funding from the Governor's Office of Highway Safety (GOHS). This funding will be used for projects relating to all aspects of highway safety. The anticipated term of the funding is October 1, 2008 through September 30, 2010. The Sheriff's Office indirect cost rate is 12.2% for FY 2008-09. Unrecoverable indirect costs associated with this grant are estimated to be \$54,619. The Sheriff's Office has participated in GOHS grants for approximately 10 years.

Also, approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$223,848. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008557300)

Treasurer

17. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT – APPROVED

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for April 2008 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C4308021700) (ADM4006)

TRIAL COURTS

Justice Courts

18. IGA FOR CONTINUED USE OF FACILITY – APPROVED

Retroactively approve and execute an Intergovernmental Agreement (IGA) between the Town of Gila Bend and Maricopa County. The Ironwood Justice Court and the Gila Bend Municipal Court are currently located in a building owned and operated by Maricopa County located at 209 East Pima, Gila Bend, AZ, 85337-0648. The IGA will allow the continued use of the facility for the common administration and operation of the County Court and Town Court in the greatest extent possible under the laws of the State of Arizona. The term of the IGA shall run from July 1, 2007 to June 30, 2008, with an option to automatically renew and extend for an additional one year term unless previously terminated pursuant to the provisions of the IGA. (C2408004200)

COUNTY MANAGER

Office of the County Manager

19. AMENDMENT IGA WITH ASU FOR ARIZONA ARRESTEE REPORTING INFORMATION NETWORK PROJECT – APPROVED

Approve Amendment No. 2 of the Intergovernmental Agreement (C200701500) between Maricopa County and the Arizona Board of Regents for and on behalf of Arizona State University for the AARIN (Arizona Arrestee Reporting Information Network) Project. The purpose of this renewal is to provide funding in the amount not-to-exceed \$263,563.41 for the period of July 1, 2008 through June 30, 2009, subject to availability of funds. Approval of this IGA will allow the Arizona State University Center for Violence Prevention and Community Safety to continue gathering data from inmates during booking, providing the Maricopa County Criminal Justice System with crucial information for decision making. The term of this agreement shall commence July 1, 2008 and shall terminate on June 30, 2009. Also, approve an adjustment to the FY 2008-09 budget, once adopted, transferring \$263,564 from the Non-Departmental (470) General Fund (100) Other Programs (4712) "Crime Prevention Grants" line to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled "AARIN Project". This amount will be used to fund the AARIN IGA during FY 2008-09. (C2007015002)

20. ECONOMIC DEVELOPMENT CONTRACT FOR THE WESTERN MARICOPA ENTERPRISE ZONE – APPROVED

Approve the FY 2007-08 nonprofit economic development contract for the Western Maricopa Enterprise Zone (WMEZ) for \$15,000 for purposes of promoting the enterprise zone to potential businesses and strengthening the employment base of the region. (C2008056100)

Justice System Planning

21. DONATION FOR THE AZ METH PROJECT – APPROVED

- o Accept donation of \$10,000 from Arizona Dental Association for the AZ METH PROJECT.
- o Accept donation of \$10,000 from Delta Dental of Arizona Foundation for the AZ METH PROJECT.

These actions will require an appropriation adjustment to General Fund (100) Appropriated Fund Balance (480) Other Programs (4812) line item titled "Meth Project," increasing the FY 2007-08 revenue and expenditure budgets by \$20,000. Donation revenues are not local revenues for the

purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C4208021M00) (ADM639-006)

Public Defender

22. TRANSFER EXPENDITURE AUTHORITY – APPROVED

Pursuant to A.R.S. §42-17106, transfer expenditure authority of \$4,500,000 from Non-Departmental (470) General Fund (100) Unreserved Contingency (4711) to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled, "Indigent Representation". Also approve the transfer of expenditure authority in an amount not-to-exceed \$4,500,000 from the Non-Departmental (470) General Fund (100) Other Programs (4712) line entitled, "Indigent Representation" to the Office of Public Defense Services (560) General Fund (100) at the end of Fiscal Year 2007-08 to cover increased case representation costs. The transfers will only be used if, following a County Manager-Authorized transfer of year-end General Fund savings from the Offices of the Public Defender (520), Legal Defender (540) and Legal Advocate (550), the Office of Public Defense Services (560) is unable to cover remaining General Fund expenditures within its current appropriation. (C5608001800) (ADM540)

DEPUTY COUNTY MANAGER

Correctional Health

23. AGREEMENT FOR EDUCATIONAL OPPORTUNITY – APPROVED

Approve an Affiliation Agreement between Correctional Health Services and Arizona State University. Approval would provide Registered Nurses and Nurse Practitioner students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention facilities. This agreement period is for five years from the date of approval by the Maricopa County Board. There is no financial impact. (C2608008000)

24. EXECUTIVE COMPENSATION PACKAGE – APPROVED

Approve an Executive Compensation Package (ECP) for Dawn Noggle, an unclassified Director of Mental Health in the Correctional Health Services department, authorizing a deposit of 40 hours of PTO to her leave balance effective July 1, 2008. (C2608010000) (ADM3308-002)

Office of Enterprise Technology

25. INCREASE IN REVENUE AND EXPENDITURES FOR THE OFFICE OF ENTERPRISE TECHNOLOGY – APPROVED

Pursuant to A.R.S. §42-17106(B), approve an increase in revenue and expenditures for the Office of Enterprise Technology (410) Telecommunications Fund (681) for FY 2007-08 in an amount not-to-exceed \$3,965,327. This increase is due to the increased demand in customer driven work orders and carrier provided services. Revenue from charges for parts and services will offset the increased expense. This adjustment will require offsetting revenue and expenditure adjustments to Elimination Department (980), Eliminations Fund (900) in the amount not-to-exceed \$3,965,327. These adjustments will result in a countywide net impact of zero. (C4108014800) (ADM2700-003)

Public Health

26. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES – APPROVED

Approve Amendment No. 9 to the Intergovernmental Agreement (IGA) between the Arizona Department of Health Services (HG354361) and Maricopa County through its Department of Public Health, Tobacco Use Prevention Program for FY 2008-09. This amendment reduces the tentatively-adopted budget for FY2008-09 from \$4,307,764 to a total amount of \$2,061,122 for contract term July 1, 2008 through June 30, 2009.

This IGA is amended as follows:

1. Special Terms and Conditions, pg. 10, adds provision #4 Extended Term of Contract (1 Year) as stated: 4. Extended term of contract (1 Year) The term of this contract has been extended and will begin July 1, 2008 effective through June 30, 2009.
2. Amendment 7, Scope of Work, pg. 2, items 1-7 are replaced by Scope of Work, pg. 2, of Amendment 9.
3. Price Sheet, pg. 9 of Amendment 7 is replaced by Price Sheet, pg. 3 of Amendment 9 to add funding for the new contract term of July 1, 2008 through June 30, 2009 to pay for the new Scope of Work during the same period.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. Arizona Department of Health Services only allows for 15% of Personnel Services and Employee Related Expenses. The full indirect costs are estimated at \$233,714, of which \$184,024 is recoverable and \$49,690 is not recoverable. The \$529,000 amount is a pass-through expense which is not eligible for indirect charges.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant reducing the tentatively approved budget from \$4,307,764 to \$2,061,122 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C8603159209)

27. AMENDMENT TO IGA WITH ADHS – APPROVED

Approve a price sheet correction and replacement to Amendment No. 6, Intergovernmental Agreement (IGA) Contract No. HG454008, between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health, Tuberculosis (TB) Control Program. C8603160207. Amendment No. 6 was approved by the Board on March 6, 2008. ADHS is requesting replacement of the price sheet. It corrects the Personnel Services and ERE budget line from \$449,409 to \$449,404. The total contract amount for Amendment No. 6 did not change. All other terms and conditions of this Intergovernmental Agreement shall remain unchanged. (C8603160208)

28. AMENDMENT TO CONTRACT WITH ST. JOSEPH'S HOSPITAL & MEDICAL CENTER – CONTINUED TO 6/18

Approve Amendment No. 7 to Contract No. C86060281 between Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment extends the contract period to June 30, 2009, in an amount not-to-exceed \$100,000. All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8606028107)

29. RESCIND PREVIOUS BOARD ACTION RELATED TO IGA WITH ARIZONA BOARD OF REGENTS – APPROVED

Rescind the action taken by the Board of Supervisors on February 6, 2008 (C8608055200) wherein the Board approved the Intergovernmental Agreement (IGA) between **Arizona Board of Regents for and on behalf of University of Arizona, College of Medicine (UofA)** and Maricopa County's Department of Public Health. UofA requested changes to the IGA after Board execution.

Also, approve the revised Intergovernmental Agreement (IGA) with the Arizona Board of Regents by and on behalf of the University of Arizona, College of Medicine (UofA) to allow a contracted Physician to provide medical expertise to Maricopa County's Department of Public Health (MCDPH). The term of this IGA is from June 1, 2008 through May 31, 2011. MCDPH will compensate UofA for this IGA in the amount not-to-exceed \$105,000 per year, and \$315,000 for the duration of the IGA. (C8608055201)

30. RESCIND PREVIOUS BOARD ACTION RELATED TO IGA WITH ARIZONA BOARD OF REGENTS – APPROVED

Rescind the action taken by the Board of Supervisors on April 9, 2008 (C8608072200) wherein the Board approved the Intergovernmental Agreement (IGA) between **Arizona Board of Regents for and on behalf of Arizona State University (ASU)** and Maricopa County Department of Public Health's Emergency Management Program (PHEM). ASU requested changes to the IGA after Board execution.

Approve the revised IGA between Arizona Board of Regents for and on behalf of Arizona State University (ASU) and Maricopa County Department of Public Health's Emergency Management Program (PHEM). This IGA will provide funding to ASU to develop a prototype multi-agency simulation modeling environment that will enable PHEM to model the spatial aspects of the outbreak region, resource availability-attribute-behaviors, and the population characteristics. This IGA in the amount not-to-exceed \$50,000 will begin upon Board approval to September 20, 2008. (C8608072201)

31. MOU FOR HIV COUNSELING, ANTI-BODY TESTING, PARTNER COUNSELING AND HEALTH CARE REFERRAL SERVICES – APPROVED

Approve a non-financial Memorandum of Understanding (MOU) between Maricopa County Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance and Southwest Center for HIV/AIDS, Inc. (SCHA), for the outstationing of MCDPH personnel to provide HIV counseling, anti-body testing, partner counseling and health care referral services in a room provided, rent-free, at SCHA's Central Phoenix office, co-located with Maricopa Integrated

Health System (MIHS), McDowell Clinic. This agreement will be in effect from June 1, 2008 to December 31, 2009, and is renewable for an additional two years by mutual agreement. (C8608080000)

32. AGREEMENT FOR LABORATORY TESTS – APPROVED

Approve an Inter-Institution Affiliation Agreement (IIAA) between the Maricopa County Department of Public Health (MCDPH) and the State of Arizona d.b.a. Maricopa County Juvenile Probation Department for MCDPH to provide laboratory tests on a unit fee basis. The IIAA term shall be from July 1, 2008 through June 30, 2011. The budget amount is dependent upon the number of tests performed. The amount for the budget period July 1, 2008 through June 30, 2009 is \$20,000. The three year term, at \$20,000 annually, is for a total amount of not-to-exceed \$60,000. (C8608081100)

33. SUBLEASE FOR OFFICE/CLINIC SPACE – APPROVED

Approve and execute full service sublease No. L7405 with Prehab of Arizona, Inc., d.b.a. **A New Leaf**, Sublandlord, for 5,000 square feet of office/clinic space located at 635 E. Broadway Road, Mesa, AZ. The facility is owned by the City of Mesa and is being leased to Prehab of Arizona, an Arizona not-for-profit corporation, d.b.a. A New Leaf. A New Leaf has agreed to sublease 5,000 square feet of office/clinic space in the facility to the County for use as a Women, Infants and Children (WIC) facility. The Sublandlord will construct the premises at a cost not-to-exceed \$300,000. The term of this Sublease is for five years and shall commence upon delivery of the premises to the Subtenant and shall be documented at Exhibit "C" Commencement Date Conformation. The annual rental rate is \$50,000 or a monthly payment of \$4,166.67 plus rental tax. The Sublease contains a 90-day termination provision and a six-month holdover provision. This Sublease Agreement was endorsed by the Facility Review Committee on October 25, 2007. (C8609001400)

ASSISTANT COUNTY MANAGER – COMMUNITY COLLABORATION

Animal Care & Control

34. AGREEMENT WITH ARIZONA RETRIEVER RESCUE TO RESCUE ANIMALS – APPROVED

Approve an agreement between Arizona Retriever Rescue, a 501(c)(3) non-profit corporation, 8602 E. Heatherbrae Avenue, Scottsdale, AZ, and Maricopa County to allow Arizona Retriever Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 36 new hope rescues over the term of the agreement, for a total of \$1,440. The term of this agreement is from June 4, 2008 through June 30, 2011. (C7908120100)

35. ANIMAL CARE AND CONTROL EMPLOYEE SPOT AWARD PROGRAM – APPROVED

In accordance with Section X of the Maricopa County Compensation Plan, approve the Animal Care and Control Employee Spot Award Program as an employee recognition program in addition to the American Express Card Peak Performer Program (02059-RFP) for Animal Care and Control. Estimated annual cost of the Employee Spot Award Program is \$4,750 and will be absorbed from current Fund (572) Department funds. The Program will cover the period from July 1, 2008 through December 31, 2008. (C7908121M00) (ADM2300-001)

36. AGREEMENT WITH SAVE ANIMALS FROM EUTHANASIA, INC. TO RESCUE ANIMALS – APPROVED

Approve an agreement between Save Animals From Euthanasia, Inc., a 501(c)(3) non-profit corporation, P.O. Box 6829, Apache Junction, AZ, and Maricopa County to allow Save Animals From Euthanasia, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 25 new hope rescues over the term of the agreement, for a total of \$1,000. The term of this agreement is from June 4, 2008 through June 30, 2009. (C7908122100)

37. KENNEL PERMIT – APPROVED

Pursuant to A.R.S. §11-1009, approve the following kennel permits for the term of June 4, 2008 through June 3, 2009. The cost of each kennel permit is \$328:

- a. **Lue Jean Brooks, d.b.a. Springbrook Kennels**, located at 36614 N. 23rd Street, Phoenix, AZ 85086. Permit #294. (Supervisory District 3) (C7908118C00) (ADM2304)
- b. **Marilyn Pauly, d.b.a. Evanz Kennels**, located at 16853 N. 39th Drive, Phoenix, AZ 85053. Permit #352. (Supervisory District 4) (C7908118C00) (ADM2304)
- c. **Blanca Hernandez, d.b.a. Hernandez Kennels**, located at 6910 W. Rancho Drive, Glendale AZ 85303. Permit #426. (Supervisory District 5) (C7908118C00) (ADM2304)
- d. **Marie Hamilton, d.b.a. Hamilton Kennels**, located at 435 S. Pasadena Street, Mesa, AZ 85210. Permit #381. The cost of a kennel permit is \$328, plus a return trip charge of \$49, totaling \$377. (Supervisory District 2) (C7908124C00) (ADM2304)

38. DONATIONS – APPROVED

- a. Accept the monetary donation from **Iguana Mack's** of Chandler, AZ in the amount of \$1,200 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908119700) (ADM2300-006)
- b. Accept the monetary donation from the **Lakes Women's Club** of Tempe, AZ in the amount of \$322; and an anonymous donation of \$250.06 received in Phoenix, AZ for the care of the animals. In addition, accept non-cash donations from the Lakes Women's Club estimated to be 3,650 lbs pet food, 500 lbs. treats, 160 lbs cat litter, plus toys, leashes, and cleaning supplies. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908123700) (ADM2300-006)

Human Services

39. AMENDMENT TO CONTRACT WITH RIGHT MANAGEMENT CONSULTANTS, INC. – APPROVED

Approve Amendment No. 3 to Contract C2205146102, between Right Management Consultants, Inc. and Maricopa County Human Services Department, for workshop and participant training in the amount of \$100,000. This amendment is effective from July 1, 2008 until June 30, 2009. (C2205146103)

40. AMENDMENT TO CONTRACT WITH LEATHERS, MILLIGAN AND ASSOCIATES, INC. – APPROVED

Approve Amendment No. 3 to Contract C2205151102, between Leathers, Milligan and Associates, Inc. and Maricopa County Human Services Department, for workshop and participant training in the amount of \$50,000. This amendment is effective from July 1, 2008 until June 30, 2009. (C2205151103)

41. AMENDMENT TO CONTRACT WITH SUBSTITUTE TEACHERS UNLIMITED – APPROVED

Approve Amendment No. 1 to contract C22080961, between Substitute Teachers Unlimited and the Maricopa County Human Services Department for the provision of Substitute Teacher and Teacher's Aide services in support of the Early Head Start and Head Start Programs in Maricopa County. The total contract value will not exceed \$50,000. The contract term is from July 1, 2008, to June 30, 2009. This contract does not include any County general funds. C2208096101

42. IGA FOR SERVICES TO PRESCHOOL CHILDREN WITH DISABILITIES – APPROVED

Approve the non-financial intergovernmental agreement (IGA) between **Mesa Unified School District** and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program Mesa Unified School District will provide classroom and playground facilities as well as services for preschool children with disabilities, who are enrolled in the Head Start program. The Agreement is effective from July 1, 2008 through June 30, 2011. (C2209061200)

43. LEASE FOR OFFICE SPACE – APPROVED

Approve and execute full service lease No. L7406 with **Dysart Community Center**, a not for profit organization, Lessor, for 132 square feet of office space located at 14414 N. El Mirage Road, El Mirage, AZ 85335. This lease will allow the County the opportunity to provide community services in the Town of El Mirage and the surrounding area. The term of the lease will commence on July 1, 2008 and will terminate on June 30, 2009, with an option to hold over for six months. Either Lessor or Lessee may terminate this Lease by giving the other party 90 days written notice. (C2209062400)

Medical Examiner

44. REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS – APPROVED

Approve revenue and expenditure appropriation adjustments to the Medical Examiner Grant Fund (224) associated with grant award #2006-DN-BX-0058 in the amount of \$2,960. The adjustments are necessary because the funds were not included in the FY07/08 budget. This adjustment

relates to the action taken by the Board on October 4, 2006 (C2907004300) regarding the Office of the Medical Examiner (OME) grant from the Paul Coverdell Forensic Science Improvement Grants Program to purchase and have installed a new gas chromatograph mass spectrometer including application consultation fees. Grant Revenues are not local revenues for purposes of constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. Approval of this budget adjustment does not alter the budget constraining expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2907004301)

CHIEF FINANCIAL OFFICER

Finance

45. FUND TRANSFERS; WARRANTS – APPROVED

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Materials Management

46. SOLICITATION SERIALS – APPROVED

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

- | | |
|------------------|--|
| 08001-RFP | Air Quality Monitoring Vehicle (\$1,066,900 estimate/one year with five one-year renewal options) Contract to purchase a fully constructed mobile air monitoring laboratory for use by the Maricopa County Air Quality Department. <ul style="list-style-type: none">• Providence Engineering |
| 08002-S | Stop Loss Insurance, Employee Benefits Plan (\$10,000,000 estimate/three years with three one-year renewal options) Contract to provide Stop Loss Insurance for the County's Self Insured Trust to cover large claims as required. <ul style="list-style-type: none">• Symetra Life Insurance Company |
| 08007-RFP | Youth Programs, Workforce Investment Act Of 1998 (\$1,500,000 estimate/one year with four one-year renewal options) Contract to provide (under the Workforce Investment Act of 1998) workforce investment activities through statewide and local workforce investment systems. <ul style="list-style-type: none">• Arizona Call-A-Teen Youth• Goodwill Of Central Arizona• Valley Of The Sun United Way |
| 08033-LOI | Occupational Health Services (\$2,000,000 estimate/five years with five one-year renewal options) Contract to provide a source for occupational medical services (i.e. physical examinations etc.) for Maricopa County employees. |

- Concentra Medical Centers

Renewals/Extensions:

It is recommended that the Board of Supervisors approve the renewal/extension of the following contract): (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until August 31, 2011

05087-ROQ Psychiatric Services Providers – CHS (\$2,100,000 estimate/three years)
Contract renewal to provide psychiatric services to incarcerated individuals in the custody of Correctional Health Services.

- M. Akram Bhatti M.D.
- Leonardo Garcia-Bunuel
- D. Raikhelkar
- John Lee
- Amanda T. Troutman, DO
- Eddy De Los Santos
- Naveen Maddineni MD

Parks and Recreation

47. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY – APPROVED

Pursuant to A.R.S. §42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470) General Grants Fund (249) and the Park's and Recreation Department (300) Souvenir Fund (241). This action will require a revenue and expenditure appropriation adjustment **decreasing** the FY 2007-08 Non-Departmental (470) General Grants Fund (249) by \$15,000 and **increasing** the FY 2007-08 Park's and Recreation Department (300) Souvenir Fund (241) by \$15,000. These adjustments will result in a countywide net impact of zero. A.R.S. §11-941.B and D provide that a county, through its Board of Supervisors, may establish a county parks publication and souvenir revolving fund consisting of monies received from the sale of county parks oriented services, souvenirs, sundry items or informational publications that are uniquely prepared for use in county parks by the public. During the past two fiscal years, the Parks & Recreation Department showed tremendous success in its ability to generate revenue through this fund. The department has encouraged this program and demand is increasing. Due to this increase in demand, Parks is requiring a larger inventory for the summer months at Lake Pleasant Regional Park. The FY 2007-08 revenue and expenditure projections exceed the budget by \$15,000. (C3008028800) (ADM3200-003)

48. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY – APPROVED

Pursuant to A.R.S. §42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470) General Grants Fund (249) and the Park's and Recreation Department (300) Lake Pleasant Fund (240). This action will require a revenue and expenditure appropriation adjustment **decreasing** the FY 2007-08 Non-Departmental (470) General Grants Fund (249) by not-to-exceed \$50,000 and **increasing** the FY 2007-08 Park's and Recreation Department (300) Lake Pleasant Fund (240) by not-to-exceed \$50,000. During the past two fiscal years, the Parks & Recreation Department showed tremendous growth in the revenues of the Lake Pleasant Regional Park which have been able to allow for increased capital development and the addition of temporary staffing, in order to collect these revenues. The FY 2007-08 budget is currently projecting revenues and expenditures in excess of its budgetary allocation and it may

be required to increase this fiscal year's budget to cover some of these costs in this year. These adjustments will result in a countywide net impact of zero. (C3008030800) (ADM3200-003)

ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES

Emergency Management

49. IGA WITH ARIZONA STATE LAND DEPARTMENT FOR MUTUAL ASSISTANCE IN EMERGENCIES – APPROVED

Approve a Cooperative Intergovernmental Agreement (IGA) between Arizona State Land Department, State Forester, Forestry Division, and Maricopa County by & through the Emergency Management Department for mutual assistance in responding to emergencies. This agreement shall be effective as of the date it is filed with the Secretary of State and remain in full force and effect for five (5) years. This agreement will enable the county to recover 100% of costs incurred in responding to an emergency if that response has been requested by the State Land Department, rather than the 75% reimbursement we normally receive through the Arizona Division of Emergency Management. There is no cost to the county for participating in the agreement. (C1508003200)

50. APPLY AND ACCEPT GRANT FUNDS FROM ARIZONA EMERGENCY RESPONSE COMMISSION, GRANT HMEP – APPROVED

Approve the application and acceptance of grant funds from Arizona Emergency Response Commission, Grant HMEP FY 2007-08, in the amount of \$2,780.00. These grant funds are for the Administrative Support of the Local Emergency Planning Committee. The grant funds may be expended for indirect costs by Emergency Management or Maricopa County for the administration of this grant. Indirect costs of \$316.55 are allowable and recoverable. This cost will be fully absorbed in the MCDEM budget. The Maricopa County Department of Finance has calculated the Emergency Management's composite indirect cost rate at 12.85%. (C1508010300)

51. DONATION FROM DPC ENTERPRISES, L.P – APPROVED

Approve and accept a donation of \$250 from **DPC Enterprises, L.P.** This donation will be used to purchase materials and to support future meetings on behalf of the Local Emergency Planning Committee (LEPC), for which the Department of Emergency Management provides the administrative support.

Also, approve an appropriation adjustment to Emergency Management (150), Emergency Management Grant Fund (215), **increasing** the FY 2007-08 revenue and expenditure budgets by \$250. Donation funds are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of these donations is not prohibited by the budget law. (C1508011M00) (ADM900-006)

Equipment Services

52. INCREASE REVENUE AND EXPENDITURES DUE TO INCREASED COST OF FUEL AND PARTS – APPROVED

Pursuant to A.R.S. §42-17106(B), approve an increase in revenue and expenditures for the Equipment Services Department (740) Equipment Services Fund (654) for FY 2007-08 in the amount not-to-exceed \$3,988,415. This increase is due to the increased cost of fuel and parts.

Revenue from charges for fuel and parts will offset the increased expense. This adjustment will require offsetting revenue and expenditure adjustments to Elimination Department (980), Eliminations Fund (900) in the amount not-to-exceed \$3,988,415. These adjustments will result in a countywide net impact of zero. (C7408008800) (ADM3100-003)

53. IGA WITH TOWN OF YOUNGTOWN FOR FUEL SERVICES – APPROVED

Approve an Intergovernmental Agreement (IGA) between Maricopa County through Maricopa County Equipment Services and the Town of Youngtown for fuel services from the County Fueling Stations. The fuel quantity is estimated at 6,000 gallons and \$20,000 annually. This IGA is effective from May 1, 2008, until terminated by either party upon 30 days written notice. Authorize the Chairman to sign all documents related to this intergovernmental agreement. (C7408009200)

Planning and Development

54. MARICOPA COUNTY GREEN GOVERNMENT PROGRAM – APPROVED

Approve the Maricopa County Green Government Program as presented to the Board at its June 2, 2008 meeting. A number of the actions and measures contained in this program are funded through current operating budgets. For those that are not, separate funding requests will need to be made and individually approved by the Board of Supervisors. (C4408013000)

55. SOLE SOURCE CONTRACT FOR SOFTWARE SITE LICENSE – APPROVED

Approve a sole source contract with Accela, Inc. for an amount of \$4,751,637 for the purpose of purchasing a software site license, professional services related to database conversion and business rule/workflow analysis, implementation, and five years of maintenance of the Accela product. Accela is currently utilized by the Planning and Development Department and will be expanded to be used by the following Departments: Air Quality, Emergency Management, Environmental Services, Facilities Management, Materials Management, Parks and Recreation and Public Works. The County is not aware of any other providers of this service or compatible software for this need. (C4408016100)

ASSISTANT COUNTY MANAGER – PUBLIC WORKS

Transportation

56. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

57. AMENDMENT TO IGA TO ALLOW AREA AGENCY ON AGING TO UTILIZE THE EMERGENCY ACCESS GATE LOCATED BETWEEN DESERT HILLS DRIVE AND MERIDIAN DRIVE – APPROVED

Approve Amendment No. 2 to the existing Intergovernmental Agreement (IGA) (C6405280200) among Pulte Home Corporation, Daisy Mountain Fire District, Deer Valley Unified School District, Area Agency on Aging and Maricopa County to allow the Area Agency on Aging to utilize the emergency access gate located between Desert Hills Drive and Meridian Drive at a location

approximately 900 east of 19th Avenue to transport individuals approximately twice a day. There is no cost to the County. This amendment shall become effective upon approval by the Maricopa County Board of Supervisors and all other conditions of the Agreement shall remain in full force and effect. (C6405280201)

58. **ADDITION OF PROJECTS AND INCREASE CORRESPONDING EXPENDITURE BUDGETS TO TIP – APPROVED**

Pursuant to A.R.S. §42-17106 (B), approve the addition of the following projects and **increase** corresponding expenditure budgets to the FY 2008-2012 five-year Transportation Improvements Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08):

Project Number	Project	Capital Budget
T215	Peoria Avenue and Litchfield Road	\$5,000
T277	Indian School Road at Beardsley Canal	\$35,000
T285	Gilbert Road LWC Flood Repair	\$100,000

And, approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by **decreasing** the Year 1 (FY2007-2008) expenditure budget for the following projects:

Project Number	Project	Capital Budget
T006	Unallocated Force Account	\$35,000
T144	Val Vista: Thomas - Southern	\$105,000

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (Supervisory District 2 and 4) (C6408214800) (ADM2000-006)

59. **BID AND AWARD FOR GAVILAN PEAK PARKWAY FROM NORTH VALLEY PARKWAY TO JOY RANCH ROAD, AND CLOUD ROAD FROM GAVILAN PEAK PARKWAY TO 34TH LANE – APPROVED**

Approve the solicitation of bids for Gavilan Peak Parkway (I-17 Frontage Road) from North Valley Parkway to Joy Ranch Road, and Cloud Road from Gavilan Peak Parkway to 34th Lane, MCDOT Project County Arterials (ARTS), Job No. T243; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10 percent. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-09 budget. (Supervisory District 3) (C6408215500)

60. **IGA FOR SIGNALIZATION OF THE INTERSECTION OF BROADWAY ROAD AND HAWES ROAD – APPROVED**

Approve the intergovernmental agreement (IGA) between Maricopa County acting through the Maricopa County Department of Transportation and the City of Mesa for the signalization of the intersection of Broadway Road and Hawes Road, MCDOT Project Partnering Support (PSUP), Job Number T298. The County's financial contribution is estimated at \$32,500 and will be invoiced after July 1, 2008. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-2009 budget. (Supervisory District 2) (C6408216200)

61. **BID AND AWARD FOR MC 85 EXTENSION: SR 85 TO TURNER ROAD – APPROVED**

Approve the solicitation of bids for MC 85 Extension: SR 85 to Turner Road, MCDOT Project County Arterials (ARTS), Job No. T171 – Phase 2; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10 percent. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-2009 budget. (Supervisory District 4) (C6408217500)

62. ANNEXATION BY THE CITY OF PEORIA – APPROVED

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Peoria of County right-of-way within: 67th Avenue from Pinnacle Peak Road to Happy Valley Road, in accordance with Ordinance No. 07-31. (Supervisory District 4) (C6408218000) (ADM4212-002)

63. IGA FOR IMPROVEMENTS TO UNION HILLS DRIVE FROM 115TH AVENUE TO PARADISE RV RESORT – CONTINUED TO 6/18

Approve the Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa County Department of Transportation, (MCDOT) and the City of Surprise for improvements to Union Hills Drive from 115th Avenue to Paradise RV Resort (approximately 1,100 feet east of 111th Avenue) (Project). The estimated total cost of the Project is \$725,000. Surprise is providing \$625,000 and MCDOT is providing \$100,000 through the Transportation Advisory Board (TAB) Special Project Fund (SPF). (Supervisory District 4) (C6408219200)

BOARD OF SUPERVISORS

Clerk of the Board

64. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS – APPROVED

a. Community Development Advisory Committee – Reappoint the following individuals:

- **Doris Heisler** and **Edward Kientz**, representing Supervisory District 4, whose terms are effective from July 1, 2008 through June 30, 2009. (C0608090900)
- **Carlos Ontiveros**, representing Supervisory District 5, whose term is effective July 1, 2008 through June 30, 2009. (C0608097900)

b. Aggregate Mining Operations Zoning District #1 Recommendation Committee – Pursuant to A.R.S. §11-830(D), appoint the following alternates, representing Industry members:

- Janet Krolczyk, CEMEX alternate for Frank Mendola
- Mark Reardon, Vulcan Materials alternate for Tom Lowry
- Mark Higgins, LaFarge NA alternate for C.R. Herro
- Pat Kuehner, Hanson Aggregates alternate for Jim Schroeder
- Agustin Figueroa, CEMEX alternate for Roger VanCamp

Alternate member terms coincide with those of their respective primary representative. (C0608092900)

c. Parks and Recreation Advisory Commission – Accept the resignation of Randy Virden, Director and Associate Professor, with the School of Community Resources and

Development with Arizona State University effective June 30, 2008, and appoint Carlton Yoshioka, Director, Professor and Graduate Coordinator with Arizona State University, as recommended by the department director, R.J. Cardin. Mr. Yoshioka will fill the unexpired term of Mr. Virden effective July 1, 2008 through December 31, 2008. (C3008029900)

65. ASSISTANCE PACKAGE IGA AND PROMISSORY NOTE FOR GILBERT COUNTY ISLAND FIRE DISTRICT – APPROVED

Approve the Assistance Package Intergovernmental Agreement and Promissory Note in the amount of \$5,000 for the Gilbert County Island Fire District effective upon signature of the Chairman of the Board of Supervisors. Pursuant to A.R.S. §42-17106(B), transfer expenditure appropriation of \$5,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to a new line in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled, "Gilbert County Island Fire District". This matter was heard in Executive Session on May 5, 2008. (C0608096700) (ADM4450)

66. INDUSTRIAL DEVELOPMENT AUTHORITY – APPROVED

Adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). This item is being considered by the Board solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued.

Resolution of the Board of Supervisors of Maricopa County, Arizona ratifying the conducting, by Tom Manos or his designee, of a public hearing as required by the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended and authorizing the Chairman of the Maricopa County Board of Supervisors, on behalf of the Board, to approve the issuance by the Industrial Development Authority of the County of Pima, Arizona to issue not-to-exceed \$4,000,000 aggregate principal amount of its Industrial Development Revenue Bonds at the request of Family Life Broadcasting, Inc. (C1808052A00) (ADM4805)

67. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS – APPROVED

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Clerk of the Board

68. RECEIVE SIGNED FORMATION PETITIONS FOR PROPOSED SCOTTSDALE COUNTY ISLAND FIRE DISTRICT AND SET HEARING – APPROVED

Pursuant to A.R.S. § 48-851, receive the signed formation petitions for the proposed Scottsdale County Island Fire District located in the City of Scottsdale municipal planning area and set a hearing on the petition for 9:00 a.m., Wednesday, June 18, 2008.

At the hearing on June 18th, the Board will order the formation of the district if the petitions are valid and appoint the three members of the organizing board of directors of the district. The order of the Board shall be final and the proposed district will be formed 30 days from the date of the Board's vote. The signed petitions are on file in the Office of the Clerk of the Board. (Supervisory District 2) (C0608095700)

Trial Courts

69. POST DECREE MEDIATION FEE – APPROVED

Pursuant to ARS §11-251.08, set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Post Decree Mediation fee. The proposed establishment of a \$100 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Post Decree Mediation for this request is based on A.R.S. §11-251.08. The fee will be assessed when the request for mediation is sought following dissolution of marriage and a parenting plan is issued for judicial review. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808019800)

70. FAMILY COURT SERVICES NO SHOW FEE – APPROVED

Pursuant to ARS §11-251.08, set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new No Show fee. The proposed establishment of a \$100 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with No Show for this request is based on A.R.S. 11-251.08. The fee will be assessed when Family Court cases that require a court ordered parenting conference, evaluations, open negotiation, child interview, early resolution conference, child support conference or counseling appointment do not show. There is a substantial number of staff hours dedicated to these services. The Mediation No Show Fee was established in 2004 by the Board of Supervisors in agenda number C38040088 and is assessed upon failure of litigants to appear for mediation only. Upon Board approval, the effective date for the new fee will be determined at a later date but will

not be sooner than August 11, 2008. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. (C3808020800)

71. PARENTING CONFERENCE FEE – APPROVED

Pursuant to ARS §11-251.08, set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Parenting Conference fee. The proposed establishment of a \$200 charge per party will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with parenting conferences. Authority for this request is based on A.R.S. §11-251.08. Parenting conferences address a vital component of any family relationship between the child and their parent and the ongoing dynamic between the parents when dealing with their child (ren)'s issues and needs. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808021800)

72. PARENTAL CONFLICT RESOLUTION (PCR) CLASS FEE – APPROVED

Pursuant to ARS §11-251.08, set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Sanction Attendance fee. The proposed establishment of a \$50.00 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Parental Conflict Resolution Class (PCR) for this request is based on A.R.S. §11-251.08. The PCR class addresses severe chronic parental conflict, parental access disputes and the risks and effects of parental alienation. The class addresses specific strategies that parents can use to reduce the conflict. Parents are required to attend separate classes. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808022800)

Planning and Development

73. CASES – APPROVED

Schedule Planning and Development public hearings on zoning cases and other matters for the June 18, 2008 meeting. (List is on file in the Clerk of the Board's office)

CONSENT AGENDA

Clerk of the Board

74. **ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001) – **APPROVED**
75. **Appointments** – Approve the Official Appointments of Leticia Maria Gandarilla, Gloria Jean Nichols, Tabion B. Johnson, Brett S. Lansing, Donna McNamara, and Nora Chee, as Deputy Recorder. – **APPROVED**
76. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300) – **APPROVED**
77. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723) – **APPROVED**
78. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809) – **APPROVED**
79. **Minutes** – Approve the minutes of the Board of Supervisors meetings held February 20, 2008, February 28, 2008, March 12, 2008 and March 20, 2008. – **APPROVED**
80. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701) – **APPROVED**
81. **Secured Tax Roll Corrections** – Approve requests from the Assessor for correction of the Secured Tax Roll Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705) – **APPROVED**
82. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated June 4, 2008. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704) – **APPROVED**
83. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims

are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816) – **APPROVED**

84. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708) – **APPROVED**

IMPROVEMENT DISTRICT AGENDA

ID-1. RESOLUTION DISSOLVING DISTRICTS – **APPROVED**

Pursuant to A.R.S. §48-959, adopt a resolution dissolving the following districts: L01 129th Avenue, L02 14th Street, L04 Mallory, L05 Eagle Peak, L06 Desert Foothills North, L07 West Phoenix Estates Unit 10, and L08 Beautiful Arizona Estates. The obligations on these improvement districts are paid in full and operation and maintenance of the districts have been taken over by the county.

It is further recommended that the County Treasurer transfer the remaining balance from these districts into the Special Improvement District Fund T00-993 to cover associated administrative costs for these districts. (C6408213000) (ADM4302)

FLOOD CONTROL DISTRICT AGENDA

FCD-1. MINUTES – **APPROVED**

Approve minutes of meeting held February 20, 2008 and March 12, 2008.

FCD-2. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – **APPROVED**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

FCD-3. CONTRACT FOR MAPPING SERVICES – **APPROVED**

Award Contract FCD 2007C045, Mapping Services for the Gillespie Area Drainage Master Plan (ADMP) to Sanborn Mapping Company Inc. to provide professional mapping and survey services. This contract is in the lump sum of \$2,299,403.72 plus a not-to-exceed amount of \$10,176.32 for optional items. The total contract amount will not exceed \$2,309,580.04. Approximately one-third of the project will be performed by local survey subconsultants. The contract performance is 740 calendar days effective the date of the Notice to Proceed. (C6908056500)

FCD-4. IGA FOR DESIGN OF THE ELEMENTS OF THE DOWNTOWN PHOENIX DRAINAGE SYSTEM – **APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2008A001 between the Flood Control District of Maricopa County and the City of Phoenix, for the design of the elements of the Downtown Phoenix Drainage System for Areas 1, 2, and 3 (Project) as identified in the Metro Phoenix Area

Drainage Master Plan (Metro ADMP). The City shall serve as the lead agency for the design of these elements of the Project. The District and the City shall each fund 50% of this design cost. (C6908057200)

FCD-5. ADJUSTMENTS TO CAPITAL IMPROVEMENT PROGRAM – APPROVED

Approve the following adjustments to the Flood Control District of Maricopa County (District) (690) FY 2008-2012 five-year Capital Improvement Program (CIP), which result in a net change of \$0: (C6908059800)

Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

Project Number	Name	Amount
F117	South Phoenix Drainage Improvements	\$349,000
F126	Salt/Gila River	\$13,000
F201	White Tanks FRS No. 4	\$27,000
F207	Buckeye FRS No. 1	\$9,000
F343	Wickenburg ADMP	\$521,000
F442	East Mesa ADMP	\$278,000
F470	White Tanks ADMP	\$519,000
F480	Queen Creek ADMP	\$124,000
F565	Durango ADMP	\$65,000
F580	ACDC ADMP	\$19,000
F620	Maryvale ADMP	\$44,000
FCPR	Flood Control Project Reserve	\$929,000

Increase Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

Project Number	Name	Amount
F022	City of Chandler	\$2,000
F120	Paradise Valley/Scottsdale/Phoenix	\$51,000
F121	East Maricopa Floodway	\$19,000
F202	McMicken Dam	\$10,000
F211	Buckeye/Sun Valley ADMP	\$3,000
F300	Spook Hill FRS and Outlet	\$34,000
F346	Hassayampa River	\$20,000
F371	Upper New River ADMP	\$16,000
F400	Skunk Creek and New River	\$560,000
F420	Spook Hill ADMP	\$201,000
F450	Glendale/Peoria ADMP	\$1,529,000
F491	Higley ADMP	\$9,000
F520	Adobe Dam ADMP	\$18,000
F590	Scatter Wash Channel	\$2,000
F625	Metro	\$423,000

FCD-6. SOLICITATION SERIALS – APPROVED

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM1922)

Renewals/Extensions:

It is recommended that the Board approve the renewal/extension of the following contract: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until June 30, 2009

- 05128-RFP Aerial Imaging Services (\$750,430 estimate/six months)** Extend contract expiration date from December 31, 2008 to June 30, 2009. This contract is utilized by the Flood Control District for aerial imaging.
- Sanborn Map Company Inc

LIBRARY DISTRICT AGENDA

LD-1. MINUTES – APPROVED

Approve minutes of meeting held February 20, 2008 and March 12, 2008.

LD-2. REAPPOINTMENTS – APPROVED

Reappoint **Jane E. King**, representing Supervisorial District 4 and **Laura Bierl** as a member At-large, to the **Library District Citizens' Advisory Committee**. The terms are effective from July 1, 2008 through June 30, 2010. (C0608089900)

STADIUM DISTRICT AGENDA

SD-1. MINUTES – APPROVED

Approve minutes of meeting held February 20, 2008 and March 12, 2008.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

85. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605) – **NO ACTION**
86. Supervisors'/County Manager's summary of current events. (ADM606) – **NO ACTION**

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.
New evidence is not considered at these hearings.**

CODE ENFORCEMENT REVIEW

- PZ-1. Daniel and Katherine Goodhart** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2007-00129, **Daniel and Katherine Goodhart**. (Supervisory District 3) (ADM3417-061) – **JUDGMENT UPHeld**

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. Z 99-78, Partial removal of a Special Use Permit (SUP), in the Rural-190 zoning district, located at the southwest corner of Lone Mountain Road & 152nd Street (in the Rio Verde area) (District 2) – **APPROVED**
2. Z2007-143, Major Amendment to a Precise Plan of Development (PPD) in the C-2 CUPD district, located north of Chauncey Lane and west of Scottsdale, Road (in the northeast Phoenix/north Scottsdale area) (District 3) – **APPROVED**

REGULAR AGENDA: **(Detailed below)**

3. DMP2007-009, Major Amendment to the Belmont Development Master Plan (DMP) as a protected development right plan, North of McDowell Road alignment, south of Central Arizona Project Canal, west of Hassayampa River, and east of Wintersburg Road alignment (in west-central Maricopa County) (District 4 & 5) **[Note: Case to be continued to 6/18/08 BOS.] – CONTINUED TO 6/18**

4. Z2003-005, Special Use Permit (SUP) in the AD-2 zoning district, located south of Warner Road and west of Power Road (in the Gilbert area) (District 1) – **Concur with Staff's Recommendation for Denial**
5. Z2006-101, Special Use Permit (SUP) in the Rural-43 zoning district, located north of Indian School Road between 323rd Avenue alignment & 339th Avenue alignment (in the Tonopah area) (District 4) – **APPROVED**
6. Z2007-070, Special Use Permit (SUP) in the R-4 zoning district, located at the southeast corner of Riggs Road & Recker Road (in the Gilbert/Queen Creek area) (District 1) – **APPROVED**

CONSENT AGENDA DETAIL:

1. **Z 99-78** District 2

Applicant: Snell & Wilmer, LLP for Dr. Otto Stanislaw, Jr.
Location: Southwest corner of Lone Mountain Road & 152nd Street (in the Rio Verde area)
Request: Partial removal of an approved Special Use Permit (SUP) for a Public Riding and Boarding Facility in the Rural-190 zoning district (approximately 10.0 acres) – Casa de los Caballos

COMMISSION ACTION: Commissioner Barney moved to recommend partial removal of the SUP previously approved under case Z 99-78. Commissioner Pugmire seconded the motion, which passed with a unanimous vote of 6-0.

2. **Z2007-143** District 3

Applicant: Earl, Curley, & Lagarde, PC for MCT Investments Properties II, LLC
Location: North of Chauncey Lane and west of Scottsdale Road (in the northeast Phoenix/north Scottsdale area)
Request: Major Amendment to a precise Plan of Development for an Outdoor Automobile Storage and Sales in the C-2 CUPD zoning district (approximately 2.3 acres site) – Schumacher European, LTD

COMMISSION ACTION: Commissioner Aster moved to recommend approval of Z2007-143, subject to stipulations "a" through "o". Commissioner Jones seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall be in substantial conformance with the site plan entitled "Precise Plan Amendment to Add 264 Space Parking Lot for Schumacher European, LTD", consisting of nine (9) full-size sheets, dated revised January 17, 2008, and stamped received January 29, 2008, except as modified by the following stipulations.
- b. Development and use of the site shall be in substantial conformance with the narrative report entitled "Additional 264 Parking Spaces for Inventory Storage", consisting of 15 pages, dated revised January 22, 2008 and stamped received January 29, 2008, except as modified by the following stipulations.
- c. The following Flood Control District stipulation shall apply:
 - A Flood Plain Use Permit must be obtained prior to construction.

- d. No loading or unloading of vehicles shall occur within the Scottsdale Road or Chauncey Lane right-of-way.
- e. Landscaping plantings within the Chauncey Ln frontage shall be limited to plant species indigenous to the Upper Sonoran Desert and be consistent with existing plants to the east.
- f. All trees shall be double-staked when installed.
- g. Development of the site shall remain in compliance with all applicable stipulations of Z2003033.
- h. Major changes to this precise plan (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- i. Parking shall comply with the Maricopa County Zoning Ordinance, unless a Variance is granted by the Board of Adjustment.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- k. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- l. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- m. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- n. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- o. Property owner and his successor waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

REGULAR AGENDA DETAIL:

3. DMP2007-009 Districts 4 & 5

Applicant: Beus Gilbert, PLLC for LKY Development
Location: North of McDowell Road alignment, south of Central Arizona Project Canal, west of Hassayampa River, and east of Wintersburg Road alignment (in west-central Maricopa County)

Request: Major Amendment to the Belmont Development Master Plan as a protected development right plan (approximately 24, 800 acres site) – Belmont

COMMISSION ACTION: Commissioner Barney moved to recommend approval of DMP2007-009, subject to stipulations “a” through “ww”. Commissioner Bowers seconded the motion, which passed with a majority vote of 4-2-1, with Commissioner Jones abstaining.

Commissioner Jones – abstained

Commissioner Pugmire - yes	Commissioner Aster - no
Commissioner Barney - yes	Chairman Smith - no
Commissioner Makula - yes	
Commissioner Bowers - yes	

[Note: Case to be continued to 6/18/08 BOS. Full agenda detail, including the stipulations of approval by the Commission, will be provided at that time.]

4. **Z2003-005** District 1

Applicant: Robert Villalobos for Fredrick W. Sogland
Location: South of Warner Road and west of Power Road (in the Gilbert area)
Request: Special Use Permit (SUP) for a Construction Storage Yard in the AD-2 zoning district (approximately 4.7 acres) – Niquel, Inc.

COMMISSION ACTION: Commissioner Pugmire moved to recommend denial of Z2003-005. Commissioner Jones seconded the motion, which passed with a unanimous vote of 6-0.

5. **Z2006-101** District 4

Applicant: Hassayampa Utilities Company, Inc.
Location: North of Indian School Road between the 323rd Avenue and 339th Avenue alignments (in the Tonopah area)
Request: Special Use Permit (SUP) for a Water Reclamation Facility in the Rural-43 zoning district (approximately 8.9 acres) – Hassayampa Ranch Water Reclamation Facility

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2006-101, subject to stipulations “a’ through “v”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the site plan entitled, “Global Water - Hassayampa Utility Company, Inc. Campus 1 Water Reclamation Facility”, consisting of (2) two full size sheets, dated revised March 11, 2008, and stamped received April 11, 2008, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled, “Hassayampa Utility Company, Inc. Campus 1 WRF Site Special Use Permit Zoning Case #Z2006101”, consisting of 67 pages, dated revised November 13, 2006, and stamped received November 17, 2006 except as modified by the following stipulations.
- c. The applicant shall combine parcels 504-09-004D and 504-09-004E which consist of 29.84 acres into a single parcel prior to issuance of building permits for construction of phases 2 – 6 of the WRF.

- d. All trees shall be double-staked when installed.
- e. A continuous parapet shall screen all roof-mounted equipment.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground mounted or screened.
- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - 1. Provide a total half-width of 65' right-of-way on Indian School Road.
 - 2. Recommended access roadway be paved.
 - 3. Bond ultimate improvements on Indian School Road.
- h. The following Maricopa County Environmental Services Department (MCESD) stipulations shall apply:
 - 1. This approval of the SUP cannot be construed as MCESD approval of the MAG 208 amendment, or construction plans for the proposed Water Reclamation Facility.
 - 2. No construction of the facility can begin prior to MCESD issuing an Approval to Construct for the facility.
 - 3. This approval for the SUP is for the SUP only.
- i. The following Drainage Review stipulations shall apply:
 - 1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
 - 2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to further designs that are not in conformance with the Drainage Regulation and design policies and standards.
- j. The following Flood Control District (FCD) stipulation shall apply:
 - Prior to any construction or development, a Floodplain Clearance will need to be obtained from the Floodplain Management & Services Division of the Flood Control District as part of the building permit process.
- k. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- l. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

- m. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- n. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- o. Prior to zoning clearance, developer(s) and or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- p. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshall prior to any construction.
- q. This Special Use Permit shall expire 50 years from the date of approval by the Board of Supervisors, or until expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- r. The applicant shall submit a written report outlining the status of the development at the end of five (5) years and every 10 years thereafter from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- s. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- t. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- u. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of Special use Permit as set forth in the Maricopa County Zoning Ordinance.
- v. Property owner and his successor waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

6. **Z2007-070** District 1

Applicant: Withey Morris, PLC for Robert Kerley

Location: Southeast corner of Riggs Road & Recker Road (in the Gilbert/Queen Creek area)
Request: Special Use Permit (SUP) for a Mini-Storage Facility in the R-4 zoning district (approximately 8.97 acres) – Riggs and Recker Self Storage

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2007-070, subject to stipulations “a” through “r”. Commissioner Bowers seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Riggs and Recker Self Storage”, consisting of three (3) full-size sheets, dated revised March 7, 2008, and stamped received March 15, 2008, except as modified by the following stipulations.
- b. Development shall be in conformance with the narrative report entitled “Riggs and Recker Self Storage”, consisting of fifteen (15) pages, dated revised March 14, 2008, and stamped received March 15, 2008, except as modified by the following stipulations.
- c. This Special Use Permit (SUP) shall expire 30 years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- d. The mini-storage facility shall be accessible to customers seven (7) days a week twenty-four (24) hours a day. The office hours of the facility shall be 7:00 a.m. to 5:30 p.m. Monday through Saturday, and 10:00 a.m. to 4:00 p.m. on Sunday.
- e. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - Dedication of additional right(s)-of-way to bring the total half-width dedication to 65’ for Riggs Road and 40’ for Recker Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
 - Bond for ultimate half-width improvements on perimeter roadways.
 - Upon full improvements of Riggs Road by Maricopa County Department of Transportation (MCDOT), entrance off of Riggs Road shall become right-in/right out.
 - Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way. Any landscaping in the County right-of-way must meet Chapter 9 (Roadway Design Manual).
- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened.
- i. The following Drainage Review stipulations shall apply:

- The channel along the south side of the property will need to be re-evaluated to ensure that the water surface is one foot below the finished floor of the adjacent buildings.
 - All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards, and best practices at the time of application for construction.
 - Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards.
- j. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- k. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- l. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- m. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- n. The applicant shall submit a written report outlining the status of the development at the end of one (1) and twenty (20) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- o. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- q. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- r. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.